

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

Oleg and Jennifer Yusenko,	)	C/A No.: 0:09-2395-JFA
	)	
Plaintiffs,	)	
	)	
vs.	)	<b>ORDER REGARDING</b>
	)	<b>WITHDRAWAL OF</b>
Lennar Carolinas, LLC; Home Buyers	)	<b>PLAINTIFF'S COUNSEL</b>
Warranty Corporation d/b/a 2-10 Home	)	
Buyers Warranty Corporation; National	)	
Home Insurance Company; John Doe,	)	
	)	
Defendants.	)	
	)	

---

The court has this date executed the attached order permitting D. Ryan McCabe, Brian C. Gambrell, and Rogers Townsend & Thomas, PC, to withdraw as attorneys of record for plaintiff s, Oleg and Jennifer Yusenko (hereafter “the client”). The court will allow the client fifteen (15) days from the entry date of this order within which to mail the court notice of the identity of replacement counsel or, alternatively, of the client’s desire to proceed with this litigation without an attorney (“*pro se*”).<sup>1</sup> To this end, the client shall, within fifteen days from entry of this order, complete the attached Notice and mail it to the Clerk of Court at the address indicated. If the client fails to mail the attached letter to the clerk within the time prescribed, the court may strike all defenses and hold the defendant in default. This means that the plaintiff will prevail on all claims asserted against the defendant. The postmark date will be determinative of the date mailed.

---

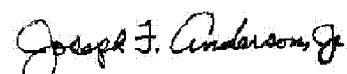
<sup>1</sup> If any party to this litigation is a corporation, the court hereby gives notice that a corporation may not appear through its corporate officers but may only appear in United States District Court through an attorney duly licensed to practice in this district. *E.g., Palazzo v. Gulf Oil Corp.*, 764 F.2d 1381, 1385 (11th Cir. 1985).

If the client elects to proceed without counsel, the client is specifically advised that the court will expect this litigation to be conducted in accordance with all provisions of the Federal Rules of Civil Procedure. Failure to comply could have serious consequences including but not limited to the imposition of sanctions.

A party proceeding without counsel is obligated at all times to keep the court informed of a current address and phone number. The party must also respond promptly to all communications from the court and fully comply with all orders of the court. Failure to satisfy these obligations may result in the serious consequences referenced above.

IT IS SO ORDERED.

November 7, 2011  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge

Brian C Gambrell  
D. Ryan McCabe, Jr.  
Rogers Townsend and Thomas  
PO Box 100200  
Columbia, SC 29202-3200  
803-771-7900

The Honorable Larry Propes  
Clerk of Court  
United States District Court  
1845 Assembly Street  
Columbia, South Carolina 29201-2455

In Re: 0:09-cv-02395-JFA Yusenko et al v. Lennar Corporation et al

Dear Mr. Propes:

In response to Judge Anderson's order, I wish to advise as follows:

- \_\_\_\_\_ 1. I have obtained a new attorney to represent me in this matter. This attorney's name, address, and telephone number are as follows:

---

---

---

OR

- \_\_\_\_\_ 2. I have **NOT** obtained a new attorney and will represent myself in this matter. The clerk is directed to forward all notices and pleadings to me at the above address. I understand that I am obligated to comply with all provisions of the Federal Rules of Civil Procedure and to keep the Clerk of Court informed as to my proper address.

**Note: a corporation must retain counsel.**

---

Signature of Client